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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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CARLOS PERDOMO,
Plaintiff,
v.
PLUMBER, et al.,
Defendants.

Case No. 17-06962 BLF (PR)

**ORDER VACATING JUDGMENT;
REOPENING CASE; GRANTING
EXTENSION OF TIME TO FILE
AMENDED COMPLAINT**

(Docket No. 19)

Plaintiff, a state prisoner proceeding *pro se*, filed a complaint pursuant to 42 U.S.C. § 1983.¹ The Court dismissed the complaint with leave to amend, (Docket No. 9), and then dismissed the action without prejudice after Plaintiff failed to file an amended complaint within the time provided. (Docket No. 10.) On June 4, 2018, the Court reopened the action for good cause shown, and granted Plaintiff further extension of time to file an amended complaint. (Docket No. 14.) Thereafter, the Court granted Plaintiff two additional extensions of time to file an amended complaint, such that he had until October 16, 2018, to file an amended complaint. (Docket Nos. 16, 18.)

On October 22, 2018, the Court dismissed the matter and entered judgment as the

¹ This action was reassigned to this Court on January 19, 2018. (Docket Nos. 6, 7.)

1 deadline passed with no response from Plaintiff. (Docket Nos. 20, 21.) On the same day,
2 Plaintiff filed a “motion for leave to file an amended complaint,” which is signed October
3 15, 2018. (Docket No. 19 at 2.) In the interest of justice, the Judgment entered on October
4 22, 2018, (Docket No. 21), is **VACATED**.

5 Plaintiff’s motion for leave to file an amended complaint, (Docket No. 19), shall be
6 construed as a request for an extension of time to file an amended complaint and is
7 **GRANTED**. Plaintiff shall file an amended complaint that complies with the Court’s
8 Order of Dismissal with Leave to Amend, (Docket No. 9), **no later than forty-two (42)**
9 **days** from the date this order is filed. Because Plaintiff has already been granted several
10 extensions of time to file an amended complaint, (see Docket Nos. 14, 16, 18), **no further**
11 **extensions of time shall be granted**.

12 This order terminates Docket No. 19.

13 The Clerk shall reopen the file, and enclose a copy of the Court’s Order of
14 Dismissal with Leave to Amend, (Docket No. 9), with a copy of this order to Plaintiff.

15 **IT IS SO ORDERED.**

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17 Dated: October 25, 2018



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BETH LABSON FREEMAN
United States District Judge